

STUDENT RIGHTS AND RESPONSIBILITIES

Code **JI** Issued **9/04**

Purpose: To establish the board's vision for student rights and responsibilities.

The board believes that students have rights that should be recognized and respected. It also believes that every right carries with it certain responsibilities.

Students have the right to a quality education and the responsibility to put forth their best efforts during the educational process. Students have the right to expect center personnel to be qualified in providing that education. Students have the responsibility to respect the rights of other students and all persons involved in the educational process.

Students have civil rights, including the right to equal educational opportunity and freedom from discrimination. They have the responsibility not to discriminate against others.

Students have the right to attend free public schools. They have the responsibility to attend school as required by law and to observe school rules and regulations essential for permitting others to learn at school.

Students have the right to due process of the law with respect to suspension, expulsion, and unreasonable searches and seizures. They also have the privilege of appealing administrative decisions that they believe have deprived them of their rights.

Students have the right to free inquiry and expression. They have the responsibility to observe reasonable rules regarding these rights.

Students must be made aware of their legal rights and also of the legal authority of the board to make, or delegate authority to its staff to make, rules and regulations regarding the orderly operation of the center.

Students have the right to advocate change of any law, policy or regulation. Students may exercise their right to freedom of expression through speech, approved time for assembly, petition and other lawful means. The exercise of this right may not interfere with the rights of others. Students may not use this freedom of expression to present material that is obscene or slanderous, or to defame character. They may not use this freedom to advocate violation of federal, state and local laws, or school policies, rules and regulations.

The center will accord all students privileges and rights without regard to race, religion, sex, creed, disability, national origin, or immigrant status or English-speaking status.

Students may present complaints to instructors or administration officials. The administration will provide adequate opportunities for students to exercise this right through channels established for considering such complaints and grievances.

Sexual harassment

Not all behavior with sexual connotations constitutes sexual harassment under federal law. In order to qualify as a complaint under Title IX, sexual harassment must be sufficiently severe, persistent or pervasive that it does one of the following.

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- adversely affects a student's education
- creates a hostile or abusive educational environment

A one time incident must be severe to rise to the level of sexual harassment.

The center prohibits sexual harassment of students by center employees, other students or third parties. All students and employees must avoid any action or conduct which could be viewed as sexual harassment.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when the following occurs.

- Submission to such conduct is made either expressly or implicitly a term or condition of a student's education.
- Submission to or rejection of such conduct by an individual is used as the basis for any decisions affecting a student.
- Such conduct has the purpose or effect of unreasonably interfering with a student's education or creating an intimidating, hostile or offensive school environment.

Any student who feels he/she has been subjected to sexual harassment is encouraged to file a complaint in accordance with administrative rule JI-R. All allegations will be investigated promptly and confidentially. The center prohibits retaliation or reprisal in any form against a student who has filed a complaint of sexual harassment.

Any employee or student who is found to have engaged in sexual harassment will be subject to disciplinary action, up to and including termination in the case of an employee, or expulsion in the case of a student. The center will take all other appropriate steps to correct or rectify the situation.

Adopted 9/14/04

Legal references:

- A. Federal statutes:
1. Title VI of the Civil Rights Act of 1964 - Prohibits discrimination on the basis of race, color, national origin, religion or sex.
 2. Title IX of the Education Amendments of 1972, 20 USC Section 1681, et seq. - Prohibits discrimination on the basis of sex.